

REMARKS

Claims 21-28, 31-53, and 55 are present in this application. Claims 29, 30 and 54 have been canceled.

No further amendments have been made to the claims. Thus, Applicants submit that all outstanding issues having been addressed, the claims are in condition for allowance.

Rejection Based on Obviousness-Type Double Patenting

Claims 21, 31-34, 38, 39, 43, 48-50, and 55 have been rejected based on the judicially created doctrine of obviousness-type double patenting over U.S. Patent 6,281,952 (note that the statement of rejection does not include claim 33; since claim 34 depends on claim 33, the rejection implies that claim 33 is rejected as well).

Claims 21, 22, 24, 26, 31, 33, 35, 51, 52, and 55 have been rejected under the judicially created doctrine of obviousness-type double patenting over Application No. 10/177,149 (now U.S. Patent 6,900,863) (note that the statement of rejection does not include claims 22 and 31; since claims 24, 51, and 52 depend on claim 22, and claim 33 depends on claim 31, then the rejection implies that claims 22 and 31 are rejected as well).

Accordingly, Applicants provide herewith a Terminal Disclaimer with regard to U.S. Patent 6,281,952 and U.S. Patent 6,900,863 in order to overcome the respective rejections.

The Terminal Disclaimer is being filed herewith without conceding the propriety of the Examiner's double patenting rejection, but merely to timely advance prosecution of the present application.

Applicants request that the rejections under the judicially created doctrine of obviousness-type double patenting be reconsidered and withdrawn.

Conclusion

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert W. Downs (Reg. No. 48,222) at the telephone number of (703) 205-8000, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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